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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Vatche Haroutioun DerOhannessian,

10 Petitioner,

11 v.

12 Kris Kline,

13 Respondent.
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No. CV-24-02686-PHX-JAT (DMF)

ORDER

15 Pending before the Court is Petitioner's Petition for Writ of Habeas Corpus filed
16 pursuant to 28 U.S.C. § 2241. The Magistrate Judge to whom this case was referred issued
17 a Report and Recommendation ("R&R") recommending the Petition be dismissed as moot.
18 (Doc. 18). The time for filing objections has run, and neither party filed objections.¹

19 This Court "may accept, reject, or modify, in whole or in part, the findings or
20 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). It is "clear that
21 the district judge must review the magistrate judge's findings and recommendations *de*
22 *novo if objection is made*, but not otherwise." *United States v. Reyna-Tapia*, 328 F.3d
23 1114, 1121 (9th Cir. 2003) (*en banc*) (emphasis in original); *Schmidt v. Johnstone*, 263
24 F.Supp.2d 1219, 1226 (D. Ariz. 2003) ("Following *Reyna-Tapia*, this Court concludes that
25 *de novo* review of factual and legal issues is required if objections are made, 'but not
26 otherwise.'"); *Klamath Siskiyou Wildlands Ctr. v. U.S. Bureau of Land Mgmt.*, 589 F.3d
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28 ¹ Petitioner's mail was being returned as undeliverable. (*See, e.g.*, Doc. 12).
Respondent provided a last known address. (Doc. 13). Mail has been sent to the last known
address and has not been returned.

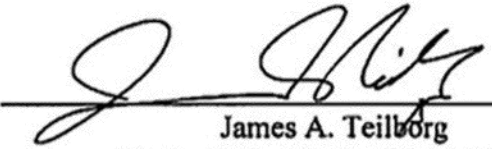
1 1027, 1032 (9th Cir. 2009) (the district court “must review de novo the portions of the
2 [Magistrate Judge’s] recommendations to which the parties object.”). District courts are
3 not required to conduct “any review at all . . . of *any issue* that is not the subject of an
4 objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (emphasis added); *see also* 28 U.S.C.
5 § 636(b)(1) (“the court shall make a *de novo* determination of those portions of the [report
6 and recommendation] to which objection is made.”).

7 No objections having been filed,

8 **IT IS ORDERED** that the Report and Recommendation (Doc. 18) is accepted; the
9 Petition is dismissed, without prejudice, and the Clerk of the Court shall enter judgment
10 accordingly.²

11 Dated this 8th day of May, 2025.

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James A. Teilborg
Senior United States District Judge

² Because the Petition was filed pursuant to § 2241, no certificate of appealability is necessary. *See Forde v. U.S. Parole Comm’n*, 114 F.3d 878, 879 (9th Cir. 1997).